



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/528,126	03/17/2000	Noriyoshi Satoh	32439	2947

116 7590 07/02/2003

PEARNE & GORDON LLP
526 SUPERIOR AVENUE EAST
SUITE 1200
CLEVELAND, OH 44114-1484

EXAMINER

ORGAD, EDAN

ART UNIT	PAPER NUMBER
----------	--------------

2684

6

DATE MAILED: 07/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/528,126

Applicant(s)

SATOH ET AL.

Examiner

Edan Orgad

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Petratos et al. (Petratos, patent no. 4,680,676).

Consider claim 1. Petratos teaches a radio terminal device (figs. 1, and 2) having:

a printed board having a front surface and a rear surface (fig. 1, item 124; col. 2, lines 45-50, col. 3, lines 45-67);

a resin (plastic, fig. 1, item 140) housing (i.e., protector) covering the rear front surface of the printed board (col. 2, lines 65-68);

a metal housing covering the front surface of the printed board (fig. 1, item 102; col. 2, lines 45-67; col. 3, lines 45-67);

an antenna disposed on a side of the rear surface of the printed board (fig. 2, items 284, 136, 288; col. 5, lines 16-40);

wherein a part of the printed board is accommodated in the resin housing (fig. 1, items 124 and 140; col. 2, lines 45-67); and

wherein a remaining part of the printed board is accommodated in the metal housing (fig. 1, items 124 and 102; col. 3, lines 45-67).

Consider claims 2 and 6. Petratos further teaches the resin housing and the metal housing are joined with each other by a curved line (i.e., depicted in figure 1, items 106c and end corner of item 140 near item 142c, at least formed a curved line) from a view point of the side of the radio terminal device (i.e., when items 102, 124, and 140 are formed together).

Consider claims 3 and 7. Petratos further teaches the printed board and the metal housing are connect with each other electrically (fig. 2; col. 6, lines 15-37).

Consider claims 4 and 8. Petratos further teaches wherein the antenna is disposed near an end portion in the remaining part of the printed board (fig. 1, item 136, fig.2 item 136, 184, 288; col. 5, lines 16-40).

Consider claim 5, Petratos teaches a radio terminal device: a printed board (fig. 1, item 124); an antenna disposed on a rear surface side of said printed board (fig. 2, items 284, 136, 288; col. 5, line s16-40); and a housing for accommodating said printed board and said antenna, said housing including a metal housing so disposed as to cover a front surface of the printed board and a resin housing so disposed as to cover a rear surface of the print board (col. 2, lines 45-67 & col. 3, lines 45-67), wherein in a vicinity of said antenna, at least a part of the rear surface side of said printed board is accommodated in the resin housing (fig. 1, items 134, 136; col. 2, lines 62-64 & col. 5, lines 34-40).

Response to Arguments

Applicant's arguments filed 4/14/03 have been fully considered but they are not persuasive.

Regarding applicant's argument in reference to claim 1, applicant argues that Petratos does not have a resin housing covering the rear surface of the printed board as in the claimed invention. Applicant is basing this argument under the assumption that the insulator 140 in Petratos is a thin plastic sheet adhered to the front of the metal middle shield 138. Since the middle shield is made of metal and not resin there is resin housing covering the rear surface to the printed board. However, it is examiner's contention that by definition, a housing is "something that covers, protects or supports" (see Webster's dictionary cited in PTO-892 in office action # 4) and since Petratos thin plastic sheet is adhered to a shield and by definition, a shield protects and inherently is a form of housing. Therefore, the claim limitation "wherein a part of the printed board is accommodated in the resin housing and a remaining part of the printed board is accommodated in the metal housing" is met by Petratos.

Regarding applicant's argument in reference to the antenna, applicant argues that Petratos does not teach an antenna disposed on a side of the rear surface of the printed board. However, examiner would like to point out figure 1, where items 134 and 136 are disclosed. These items as defined are Petratos, extend from the back of the printed board (see col. 2, lines 62-64).

Regarding applicant's argument in reference to claim 2, applicant argues that Petratos does not teach that "the resin housing and the metal housing are joined with each other by a curved line from a view point of the side of the radio terminal device". Applicant basis for this

Art Unit: 2684

argument is that the insulator 140 is a thin sheet of plastic adhered to metal middle shield 138, insulator 140 only forms a straight line when viewed from the side of the radio terminal device. However, it is examiner's contention that item 106c when combined together with items 102, 124 and 140, does form a curved line since item 106c is not a straight line. Due to the nature of the cut, when viewed from the side of the radio terminal device, one would see that when items 102, 124 and 140 are combined or joined, a curved line is formed.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

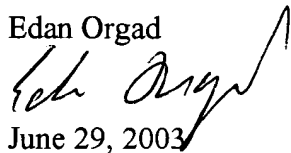
Art Unit: 2684

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 703-305-4223. The examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Edan Orgad



June 29, 2003


NAY MAUNG
PRIMARY EXAMINER